



Robert Turner

STATE REPRESENTATIVE
TO THE 61ST ASSEMBLY DISTRICT

**Robert Turner's Testimony Supporting AB 376
Restitution for Misappropriation from a Cemetery of Certain Objects that
Relate to a Veteran**

Assembly Committee on Corrections and Courts 417 N (GAR Hall)
Wednesday, September 23, 2009

Representative Parisi (Chair)
Representative Seidel
Representative Pope-Roberts
Representative Pasch
Representative Gundrum
Representative LeMahieu

Representative Benedict (Vice-Chair)
Representative Kessler
Representative Zigmunt
Representative Van Roy
Representative Kestell
Representative Brooks

Chairman Parisi and members:

Good morning and thank you for the opportunity to speak in favor of Assembly Bill 376 relating to restitution for misappropriation from a cemetery of certain objects that relate to a veteran.

AB 376 was introduced at the request of Michael Furgal, the State Legislative Chair and Past State Commander of the Veterans of Foreign Wars (VFW), to help eliminate the problem of theft of veteran's bronze cemetery markers. This legislation was introduced last session as AB 578 by Rep. Musser. It passed the Assembly, was sent to the Senate, and passed unanimously by the Senate committee on Judiciary, Corrections and Housing. There was not enough time during the last legislative session for this bill to be signed into law.



Under current law, a court must order a person who is convicted of a crime to pay restitution to any victim of the crime *unless the court finds substantial reason not to order restitution*. This bill specifies that a court *must require* a person who is convicted of misappropriating a veteran's cemetery marker to reimburse the cost to replace the markers.

This bill is supported by the Veterans of Foreign Wars, the Wisconsin Department of Veterans Affairs, and the Wisconsin Cemetery and Cremation Association.

Thank you.



**TESTIMONY OF MICHAEL L "GUNNER" FURGAL
PAST STATE COMMANDER
PAST STATE ADJUTANT/QUARTERMASTER
CHAIRMAN OF THE LEGISLATIVE COMMITTEE
VETERANS OF FOREIGN WARS (VFW)
DEPARTMENT OF WISCONSIN
REGARDING ASSEMBLY BILL 376**

Chairman Parisi and members of the Committee on Corrections and Courts, I wish to thank you for the opportunity to speak to you in favor of Assembly Bill 376. Representative Turner, I salute you for sponsoring this outstanding piece of legislation.

I am Mike "Gunner" Furgal, Past State Commander, Past State Adjutant/Quartermaster and Chairman of the Legislative Committee of the Veterans of Foreign Wars, Department of Wisconsin.

I am speaking on behalf of State Commander Wilfred Johnson and our nearly 60,000 members and auxiliary members located in VFW Posts from Superior to Pleasant Prairie and from Dickeyville to Ellison Bay.

This legislation was originally introduced, at my request, last session by Representative Terry Musser. It passed in the Assembly, but the legislative session ran out of time and it died in the Senate.

I approached Representative Turner earlier this year and asked him to reintroduce this bill and he graciously agreed.

By enacting this legislation you would be requiring those individuals who state-wide are stealing veterans' grave markers and flag holders and selling them as scrap to reimburse the cost of replacing these objects.

This bill would cost the state nothing, but would reimburse the next of kin, veterans service organizations and municipalities for the replacement cost of these brass and aluminum grave markers and flag holders.